

Appl. No. 10/628,782

PATENT  
Attorney Docket No.: 81940.0052  
Customer No.: 26021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED  
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In re application of:

Seiji KANEKO, et al.

Serial No.: 10/628,782

Filed: July 28, 2003

For: DISK ARRAY DEVICE, METHOD  
FOR CONTROLLING THE DISK  
ARRAY DEVICE AND STORAGE  
SYSTEM

Art Unit: 2655

SEP 17 2004

Examiner: To Be Assigned

Confirmation No. 5210

I hereby certify that this correspondence  
is being transmitted via facsimile to  
(703) 872-9306:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450 on

September 17, 2004

Date of Deposit

Rhonda Hurt

Name

*Rhonda Hurt* 09/17/04

Signature

Date

TRANSMITTAL OF  
INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

**§1.97(e) STATEMENT**

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

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OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). A copy of this petition is enclosed.
3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

**§1.97(e) STATEMENT**

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

AND FEE

- ☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).

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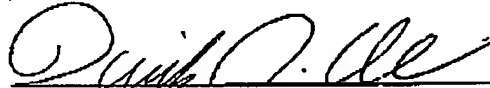
4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed.
5. ☒ A list of 17 reference(s) is in the enclosed Form PTO-1449. Pursuant to 37 C.F.R. § 1.98(a) (2) (i), copies of the listed U.S. references are not provided herewith since the requirement has been waived for U.S. patent applications filed after June 30, 2003.

#### NON-ENGLISH LANGUAGE REFERENCES

- ☒ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references: N/A

Respectfully submitted,

HOGAN & HARTSON L.L.P.

By: 

Dariush G. Adli  
Registration No. 51,386  
Attorneys for Applicants

Date: September 17, 2004

Biltmore Tower  
500 South Grand Avenue, Suite 1900  
Los Angeles, CA 90071  
Telephone: (213) 337-6700  
Facsimile: (213) 337-6701

<b>FORM PTO-1449 - CONT'D</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <i>(Use several sheets if necessary)</i>	<b>Docket Number (Optional)</b> 81940.0052	<b>Application Number</b> 10/628,782
	<b>Applicant</b> Seiji KANEKO, et al.	
	<b>Filing Date</b> July 28, 2003	<b>Group Art Unit</b> 5210

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,761,531	06/02/98	Ohmura et al.			
	5,884,098	03/16/99	Mason, Jr.			
	6,311,252	10/30/01	Raz			
	6,347,358	02/12/02	Kuwata			
	6,615,314	09/02/03	Higaki et al.			
	2002/0188786	12/12/02	Barrow et al.			
	2003/0120862	06/26/03	Hirano et al.			
	2003/0135782	06/17/03	Matsunami et al.			
	2003/0158980	08/21/03	Mizuno			
	2003/0191890	10/09/03	Okamoto et al.			
	2003/0212860	11/13/03	Jiang et al.			
	2003/0221062	11/27/03	Shimada			

### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	JP 4336340	11/24/92	Japan			Abstract	
	JP 2001306265	11/02/01	Japan			Abstract	

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
<b>EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

\\LA - 81940/0052 - 212560 v1

<b>FORM PTO-1449 - CONT'D</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <i>(Use several sheets if necessary)</i>	<b>Docket Number (Optional)</b> 81940.0052	<b>Application Number</b> 10/628,782
	<b>Applicant</b> Seiji KANEKO, et al.	
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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2004/0024951	02/05/04	Aruga			
	2004/0078518	04/22/04	Kuwata			
	2004/0098543	05/20/04	Araki et al.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

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